S.B.CIVIL CONTEMPT PETITION NO.14/2006

Smt. Mohani Devi and others.
vs.
R.S. Agrawal and others.

DATE OF ORDER ::: 26.5.2006

PRESENT

HON'BLE MR. PRAKASH TATIA, J.

Mr. S Rajpurohit, for the petitioners.

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After hearing both the parties in S.B. Civil Misc. Appeal No.232/2004, interim order was passed by this Court on 19.12.2005 staying the recovery of disputed amount by coercive method on condition that that order shall be effective if the appellant therein deposits the compensation calculated at the rate of Rs.24,000/- per bigha within two months from the date of order. However, this Court also granted two months time to deposit entire compensation amount at the rate of Rs.24,000/- per bigha.

The petitioners have filed this contempt petition on the plea that despite notice, the respondents have not paid the said amount.

The interim order was passed in civil misc. appeal arising out of the proceedings taken under the Land Acquisition Act and the award can be enforced by launching execution before the civil court, therefore, no ground is made out for initiating any contempt proceedings.

In view of the above, this contempt petition, having no merit, is hereby dismissed.

(PRAKASH TATIA), J.

S.Phophaliya